

Copy of letter sent to the Chair:

Dear Chairman Martin,

I read an AP story this morning about your complaint about some policies of ComCast. I had a somewhat different experience in which they did not slow my connection, but threatened to terminate it. Here are copies of two letters I wrote on the incident—one to my Congressman (Rush Holt) and one to my local newspaper.

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Today I received a most irritating phone call while I was eating dinner.

It was from a representative of ComCast who provides my internet service.

The basic message was that I was using my internet service too much, and

if I didn't reduce my usage, they would terminate my service. I have a

number of complaints about this policy.

They never mentioned when I sign my contract that there would be a limitation on my usage. In spite of the fact they made me sign a two year contract and have refused to let me out of said contract, they propose to unilaterally abrogate it.

In spite of my asking many times during this conversation, they adamantly refused to tell me how much usage is too much. Furthermore they refuse to say whether night time usage counts the same as day time usage. I have no way of knowing what they expect.

While HD TV uses vastly more bandwidth than my usage of the internet, they say they will not limit the usage of their TV customers.

Their purpose became clear when the representative told me to get a more expensive Enterprise connection. This is unacceptable since I do not have a business; I make no money from my internet connection.

I am writing to you because internet service is clearly a matter of interstate commerce (indeed, world wide commerce), and as such has been handled very badly by the Federal government. There is no real competition here. ComCast should be treated as a common carrier. As such they have certain responsibilities towards their customers. A well run business faced with too much demand on their network would build out the facilities to provide the bandwidth required by their customers. Instead Comcast has seized upon their inadequacy to force private customers into buying a business connection. As you know the cable industry always ranks near the bottom in terms of customer satisfaction. If the FCC were doing it job, situations like this would not arise.

I know there is interest in the House on this matter. I hope you will see fit to do something to reign in the irresponsible policies of the cable industry.

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To the Editor:

On June 10, 2008 I received a phone call from my interNet provider, Comcast. I was told that I had been abusing my connection, and if I

didn't stop, it would be terminated. Since I was not involved in child pornography, or spamming, since I did not use my connection to make money, I was at a loss as to my offense. It turned out that my crime was using my connection. They told me that I had used my connection too much in May, and that I had to drastically restrict my usage.

To begin, I asked them for a written statement of their policy. They said that they were specifically forbidden by Comcast from putting anything in writing. They would not even send me an eMail with the warning. When a party refuses to put their position in writing, you have to wonder about their motives.

But there's more. I then asked what was the limit that I had exceeded. They would not tell me that in spite of repeated requests. In fact they said it varied from month to month, but they would not even tell me the limit for May that I had broken. This is a situation worth of Kafka in which you are forbidden to exceed a secret limit.

But there's more. When I pointed out that they had called me on the 10th so presumably I would have 30 days to reform my ways, they told me, no, I had to reduce my usage starting on June 1 which was 10 days prior. Again, I pointed out that I may have already exceed the secret limit during the 10 days in which I had no idea of their policy. They said those were their rules and gave me a phone number to call their legal department if I had any objection. I did so, and got a message that I should leave a detailed description of my problem, and that they would get back to me within 24 hours. When I did not hear from them, I called again and left a more detailed message (as you can see, I am not a man of few words) with the same result. After many phone calls I realized they never answer their phone and never reply. I am sure this cuts down on the expenses of their legal department.

But there's more. I then told them that clearly Comcast and I were not a good fit, and that I would switch to Verizon's FiOS service. I would cancel my cable TV service at the end of June, and even though I would have the Verizon interNet service, I would continue

to pay for their interNet connection until August 7 when my contract expired. They said that this would be satisfactory if I did not exceed the secret limit in June, but that if I did, I would be liable for the \$150 fee for early cancellation of my contract. I pointed out that I was not cancelling the contract; Comcast was terminating it. They said that these were their rules. When your contract was terminated for abuse, you have to pay the cancellation fee, and they get to define abuse any way they see fit.

I would like to discuss whether the policy of limiting usage is reasonable, but I probably have already exceeded the limit on the length. Perhaps I'll write another letter after this business has lurched to its conclusion. Let me just finish by warning the readers that a Comcast interNet connection may be a satisfactory service as long as you don't turn it on.